

REMARKS

Claims 1-48 remain in the present application.

The Examiner required election of a single species of the following:

Species I as depicted by equation 3 (see pages 9-10 of the specification) as one specific implementation of generating the common read/write address and defined by claims 19-21, 43, 36, 8-9, 16-17, 35, and 10-12.

Species II as depicted by equation 4 (see pages 16-17 of the specification) as another different specific implementation of generating the common read/write address and defined by claims 29-31, 35, 47, and 37.

Species III as depicted by equation 5 (see page 18 of the specification) as another different specific implementation of generating the common read/write address and defined by claims 22, 44, 39, and 38.

Species IV as depicted by equation 6 (see page 20 of the specification) as another different specific implementation of generating the common read/write address and defined by claims 23, 40, 45 and 41.

Species V as depicted by another different specific implementation of generating the common read/write address and defined by claims 24-28, 40, 46, and 42.

Applicant's Election

In response to the Examiner's restriction/election requirement, Applicant elects, with traverse, to prosecute Species I. Claims 1-21, 32-36, 43 and 48 are directed to Species I, and claims 1-7, 13-15, 18, 32-34 and 48 are generic.

Applicant specifically reserves the right to file a divisional application directed to non elected claims 22-31, 37-42 and 44-47.

With respect to Applicant's traversal, Applicant respectfully directs the Examiner's attention to M.P.E.P. § 803 which states:

"If the search and examination of an entire application can be made without serious burden, the Examiner must examine on the merits, even though it includes claims too distinct or independent invention." (Emphasis added)

There are two criteria for a proper requirement for restriction. The invention should be independent or distinct, and

"2) there must be a serious burden on the Examiner if a restriction is not required. See M.P.E.P. §803.092, 806.04 A through J, 808.01(a) and 808.02."

Applicant respectfully submits that the Examiner would not be unduly burdened if forced to examine Species II, III, IV and V.


For all of the above stated reasons, reconsideration and withdrawal of the outstanding restriction/election requirement and favorable allowance of all claims in the instant application are earnestly solicited.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

HARNESS, DICKEY & PIERCE, PLC

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